IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 30TH MARCH 2007 / 9TH CHAITHRA 1929

WP(C).No. 17724 of 2004(I)

PETITIONER:
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1. K.A.BABY,
   HEAD CLERK, BLOCK DEVELOPMENT OFFICE,
   MATHILAKAM, THRISSUR DISTRICT.

2. T.K.LEELA,
   SELECTION GRADE TYPIST, O/O. ASSISTANT DEVELOPMENT
   COMMISSIONER (GENERAL), THRISSUR DISTRICT.

3. N.BALAKRISHNAN,
   HEAD CLERK, BLOCK DEVELOPMENT OFFICE, OLLUKKARA.

4. T.M.PRABHAKARAN,
   U.D.CLERK, O/O. ASSISTANT DEVELOPMENT COMMISSIONER
   (GENERAL), COLLECTORATE, THRISSUR.

BY ADV. SRI.D.SOMASUNDARAM

RESPONDENTS:
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1. STATE OF KERALA,
   REPRESENTED BY SECRETARY TO GOVERNMENT,
   REVENUE DEPARTMENT, GOVT. SECRETARIAT,
   THIRUVANANTHAPURAM.

2. COMMISSIONER,
   LAND REVENUE DEPARTMENT, THIRUVANANTHAPURAM.

3. COMMISSIONER,
   RURAL DEVELOPMENT DEPARTMENT, THIRUVANANTHAPURAM.

4. DEPUTY COMMISSIONER,
   LAND REVENUE, COMMISSIONERATE,PUBLIC OFFICE BULDG.
   MUSEUM JUNCTION, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.BASANT BALAJI.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A P P E N D I X

PETITIONER'S EXHIBITS :

EXT.P1 : TRUE COPY OF THE JUDGMENT DT. 21.11.2003 IN W.P.(C) NO.36798 OF 2003 OF THIS HON'BLE COURT.

EXT.P2 : TRUE COPY OF THE GOVT.ORDER NO.3531/EB2/93/RDD DT. 5.11.1990.

EXT.P3 : TRUE COPY OF THE ORDER NO.31486/ESTT.A4/CRD(2) DT. 15.3.2996.

EXT.P4 : TRUE COPY OF THE ORDER NO.LR(E) 7-421/04 DT. 28.5.2004 OF THE DY.REVENUE COMMISSIONER.

EXT.P5 SERIES : TRUE COPIES OF THE REPRESENTATIONS SUBMITTED BY THE PETITIONERS.

EXT.P6 TRUE COPY OF THE ORDER NO.LRE-3.39605/03 (1) DT. 6.4.2004 OF THE 4TH RESPONDENT.

TGS

KURIAN JOSEPH, J.

W.P.(C) No.17724 of 2004

Dated 30th March, 2007.

J U D G M E N T

Petitioners pray for a direction for repatriation to the parent Revenue Department. When the writ petition came up for hearing on an earlier occasion, this Court directed the petitioners to file an affidavit as to whether they were willing to be posted in the original post of Lower Division Clerk. Accordingly, they have filed their affidavit expressing their willingness. I quash Ext.P6. There will be a direction to the second respondent to consider the request afresh for repatriation in the light of the affidavit referred to above and pass appropriate orders thereon in accordance with law, within one month from the date of production of a copy of the judgment. Petitioners contend that on such repatriation to the parent department, they may be permitted to pursue their grievance for further promotion. The said issue is not the subject matter of this writ petition and hence it is for the petitioners if required, to pursue the matter in appropriate proceedings.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

OP NO. 2

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KURIAN JOSEPH, J

O.P.No. of 2002

J U D G M E N T

Dated 30th March, 2007.